

07.09.2022

Item No.26

Ct.No.2

dc.

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 44 of 2020

**Naidul Miya @ Naidul Miah
versus
The State of West Bengal**

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973.

Mr. Aditi Shankar Chakraborty,
Mr. Arun Kumar Sarkar

... For the State.

The subject-matter of this revisional application relates to quashing of the proceedings of Special Case No. 5 of 2019 arising out of Boxirhat Police Station Case No. 134 of 2019 dated 27.06.2019 under Sections 409/34 of the Indian Penal Code. Records reflect that pursuant to completion of investigation, charge-sheet was submitted before the jurisdictional court. The complaint of this case was initiated by the Programme Officer (MGNREGA) & Block Development Officer, Tufanganj-II Development Block. The police authorities registered Boxirhat Police Station Case and thereafter submitted charge-sheet No. 227 of 2019 dated 31.12.2019 under Sections 409/511/109 of the Indian Penal Code read with Sections 468/471 of the Indian Penal Code.

None of the documents under Section 207 of the Code of Criminal Procedure, relied upon by the prosecution, has been enclosed along with the present application. Having regard to the case made out in the revisional application, I

am of the opinion that there is no scope for interference by this Court at this stage.

Accordingly, the revisional application being CRR 44 of 2020 is dismissed.

The petitioner would be at liberty to canvass the points agitated in the present revisional application at the appropriate stage of the trial as also the final arguments of the case.

Needless to state that no interference has been made by this Court regarding the issues which have been canvassed as those are not to be appreciated by a court exercising its jurisdiction under Section 482 of the Code of Criminal Procedure.

All pending connected applications, if any, are consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)